



PUBLIC NOTICE

Federal Communications Commission
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NOV 14 2007

DA 07-4453

October 29, 2007

FCC Mail Room

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON PETITION OF AUTOTEL FOR
PREEMPTION OF THE JURISDICTION OF PUBLIC UTILITIES COMMISSION OF NEVADA
PURSUANT TO SECTION 252(e)(5) OF THE COMMUNICATIONS ACT**

WC DOCKET NO. 07-240

Comments: November 13, 2007
Reply Comments: November 23, 2007

On October 18, 2007, Autotel filed a petition for preemption of the jurisdiction of the Public Utilities Commission of Nevada (Nevada Commission) pursuant to section 252(e)(5) of the Communications Act of 1934, as amended (Act), 47 U.S.C. § 252(e)(5), and section 51.803 of the Commission's rules, 47 C.F.R. § 51.803. In its petition, Autotel asks the Commission to preempt the Nevada Commission's decisions to dismiss two separate requests for arbitration regarding the provisioning of a new mid-span meet point between Autotel's facilities and a central office of Central Telephone Company – Nevada, d/b/a Sprint of Nevada (now, Embarq) pursuant to section 252(b) of the Act, 47 U.S.C. § 252(b).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented is generally required. See 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules. See *id.*

Pursuant to sections 1.45 and 1.49 of the Commission's rules, 47 C.F.R. §§ 1.45, 1.49, interested parties may file comments on the petition on or before **November 13, 2007** and reply comments on or before **November 23, 2007**. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Suite TW-A325, Washington, D.C. 20554. Two (2) courtesy copies must be delivered to Janice Myles, Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, 445 12th Street, SW, Suite 5-C140, Washington, D.C. 20554, or via e-mail at janice.myles@fcc.gov; and one (1) copy must be sent to Best Copy and Printing, Inc., 445 12th Street, Suite CY-B402, Washington, D.C. 20554, telephone 202 / 488-5300, facsimile 202 / 488-5563, or via e-mail at fcc@bcpiweb.com.

Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.

- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form". A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington D.C. 20554.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, telephone 202 / 488-5300, facsimile 202 / 488-5563, or via e-mail fcc@bcpiweb.com.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202 / 418-0530 (voice), 202 / 418-0432 (tty).

For further information regarding this proceeding, contact Nicholas Degani, Competition Policy Division, Wireline Competition Bureau, 202 / 418-2277.

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